

EXHIBIT Q

CHAPTER 46—ELECTIONS

46 ¶ 19–12.1

Election Code § 19–12.1

The procedures set forth in Section 19–9 of this Act and Articles 17 and 18 of this Code,¹ shall apply to all absent voters' ballots counted under this provision; except that votes shall be recorded without regard to precinct designation, except for precinct offices.

Amended by P.A. 80–1469, § 2, eff. Dec. 1, 1980; P.A. 81–155, § 1, eff. Aug. 7, 1979.

¹ Paragraphs 17–1 et seq. and 18–1 et seq. of this chapter.

19–9. Casting ballots—Announcement of voter's name—Comparison of signatures—Rejection of ballots

§ 19–9. At the close of the regular balloting and at the close of the polls the judges of election of each voting precinct shall proceed to cast the absent voter's ballot separately, and as each absent voter's ballot is taken shall open the outer or carrier envelope, announce the absent voter's name, and compare the signature upon the application with the signature upon the certification on the ballot envelope. In case the judges find the certifications properly executed, that the signatures correspond, that the applicant is a duly qualified elector in the precinct and the applicant has not been present and voted within the county where he represents himself to be a qualified elector on such election day, they shall open the envelope containing the absent voter's ballot in such manner as not to deface or destroy the certification thereon, or mark or tear the ballots therein and take out the ballot or ballots therein contained without unfolding or permitting the same to be unfolded or examined, and having endorsed the ballot in like manner as other ballots are required to be endorsed, shall deposit the same in the proper ballot box or boxes and enter the absent voter's name in the poll book the same as if he had been present and voted in person.

In case such signatures do not correspond, or that the applicant is not a duly qualified elector in such precinct or that the ballot envelope is open or has been opened and resealed, or that said voter is present and has voted within the county where he represents himself to be a qualified elector on the day of such election at such election such previously cast vote shall not be allowed, but without opening the absent voter's envelope the judge of such election shall mark across the face thereof, "Rejected", giving the reason therefor.

In case the ballot envelope contains more than one ballot of any kind, said ballots shall not be counted, but shall be marked "Rejected", giving the reason therefor.

The absent voters' envelopes and affidavits and the absent voters' envelope with its contents unopened, when such absent vote is rejected shall be retained and preserved in the manner as now provided for the retention and preservation of official ballots rejected at such election.

As applied to an absentee ballot of a permanently disabled voter who has complied with Section 19–12.1, the word "certification" as used in this Section shall be construed to refer to the unsworn statement subscribed to by the voter pursuant to Section 19–12.1.

Amended by P.A. 78–1297, § 16, eff. March 4, 1975.

19–10. Pollwatchers—Notice of challenge

§ 19–10. Pollwatchers shall be permitted to be present during the casting of the absent voters' ballots and the vote of any absent voter may be challenged for cause the same as if he were present and voted in person, and the judges of the election or a majority thereof shall have power and authority to hear and determine the legality of

such ballot; Provided, however, that if a challenge to any absent voter's right to vote is sustained, notice of the same must be given by the judges of election by mail addressed to the voter's place of residence.

Where certain absent voters' ballots are counted on the day of the election in the office of the election authority as provided in Section 19–8 of this Act, each political party, candidate and qualified civic organization shall be entitled to have present one pollwatcher for each panel of election judges therein assigned.

Amended by P.A. 80–1090, § 1, eff. Nov. 17, 1977; P.A. 81–155, § 1, eff. Aug. 7, 1979.

19–11. Death of elector prior to opening of polls

§ 19–11. Whenever it shall be made to appear by due proof to the judges of election that any elector who has marked and forwarded his ballot as provided in this article has died prior to the opening of the polls on the date of the election, then the ballot of such deceased voter shall be returned by the judges of election in the same manner as provided for rejected ballots above; but the casting of the ballot of a deceased voter shall not invalidate the election.

19–12. Voting machines, applications to jurisdictions using

§ 19–12. In all jurisdictions in which voting machines are used, all the provisions of this Act and not inconsistent with the provisions of this article relating to the furnishing of ballot boxes, printing and furnishing official ballots and supplies in such number as provided by law, the canvassing of the ballots and making the proper return of the result of the election, shall, to the extent necessary to make this article effective, apply with full force and effect; Provided, however, that the number of ballots to be printed shall be in the discretion of the respective election authority. Amended by P.A. 80–1469, § 2, eff. Dec. 1, 1980.

19–12.1. Electors with permanent physical incapacity—Disabled voter's identification card—Application—Issuance—False statements

§ 19–12.1. Any qualified elector who has a permanent physical incapacity of such a nature as to make it improbable that he will be able to be present at the polls at any future election or any qualified voter who is a resident of a facility licensed or certified pursuant to the Nursing Home Reform Act of 1979¹ and has a condition or disability of such a nature as to make it improbable that he will be able to be present at the polls at any future election may secure a disabled voter's or nursing home resident's identification card, which will enable him to vote under this Article as a physically incapacitated or nursing home voter without the necessity of his application for ballot being accompanied by an affidavit of an attending physician for each election.

Application for a disabled voter's or nursing home resident's identification card shall be made in writing, with voter's sworn affidavit, to the county clerk or board of election commissioners, as the case may be, and shall be accompanied by the affidavit of the attending physician specifically describing the nature of the physical incapacity or the fact that the voter is a nursing home resident and is physically unable to be present at the polls on election days. Upon the receipt of the sworn-to application and the physician's affidavit, the county clerk or board of election commissioners shall issue a disabled voter's or nursing home resident's identification card. Such identification cards